**THE HON'BLE SRI JUSTICE P.S.NARAYANA**

**W.P.No.17824 of 2006**

**Dated: 25th August, 2006**

Between :-

Ms/Subham Constructions rep. By its
Managing Partner T.Sreehari Reddy .. Petitioner

And

The Municipal Corporation of Hyderabad
Tank Bund, Hyderabad rep.by its Commissioner .. Respondent

**THE HON'BLE SRI JUSTICE P.S.NARAYANA**

**W.P.No.17824 of 2006**

**ORDER:-**

The Writ Petition is filed for a Writ of Mandamus declaring the notice Proc.No.143/CSC/TP7/2005, dt.23-8-2006 issued by the respondent as illegal, arbitrary and violative of principles of natural justice and set aside the same and pass such other suitable orders.

2. Several factual details had been narrated in paras 2 to 6 of the affidavit filed in support of the Writ Petition. The petitioner filed a suit O.S.No.1171/2005 on the file of the III Senior Civil Judge, City Civil Court, Secunderabad and also C.M.A.No.15/2006 on the file of the I-Addl.Chief Judge, Secunderabad also had been referred to. The main grievance of the petitioner is that in the show cause notice specifically the contraventions or the deviations had not been mentioned. In the light of the vagueness of the notice, the impugned notice is hereby set aside and the respondent is at liberty to issue a fresh show cause notice containing the particulars of the contraventions and deviations so as to enable the petitioner to submit his objections, if any, in relation thereto.

3. Accordingly, the Writ Petition is disposed of with a

direction to the respondent to issue fresh show cause notice as specified supra and from the date of the receipt of such notice, within two weeks thereafter, the petitioner to submit objections, if any, and the respondent to take appropriate decision in this regard and till then not to proceed with any demolition activity. No order as to costs.

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Justice P.S.Narayana

25th August, 2006

smr